

## REMARKS

Claims 1 and 3-18 are currently pending, claims 13 and 17 having been amended.

### Allowable Claims

The Examiner is thanked for the indication that claims 1 and 3-12 are allowed. Further the Examiner is thanked for the indication that claim 17 would be allowable after addressing the antecedent basis issue.

### § 112 Rejection

Claims 13 and 17 stand rejected under 35 U.S.C. § 112 as lacking antecedent basis for the claim term "the upper joint edge."

Claims 13 and 17 have been amended to change the highlighted occurrences of "the upper joint edge" to "an upper joint edge." No new matter has been added.

Accordingly, the Examiner is requested to withdraw the rejection.

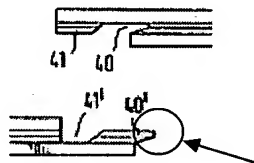
### § 103 - Terbrack

Claims 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Terbrack (USPN 4,426,820).

Claim 13 recites that the connectors of the floorboards on the short sides are designed so as to allow locking-together by an essentially vertical motion.

However, Terbrack does not teach a short side connector that is designed so as to allow locking-together by an essentially vertical motion.

Instead, Terbrack teaches the following short side connectors (from Fig. 13):



The piece of the connector that is circled above prevents the Terbrack floorboards from being locking-together by an essentially vertical motion. Thus, Terbrack does not teach or suggest the presently claimed invention.

Accordingly, the rejection of claims 13-16 is respectfully requested to be withdrawn.

**§ 103 - Terbrack in view of Wasleff and Shah**

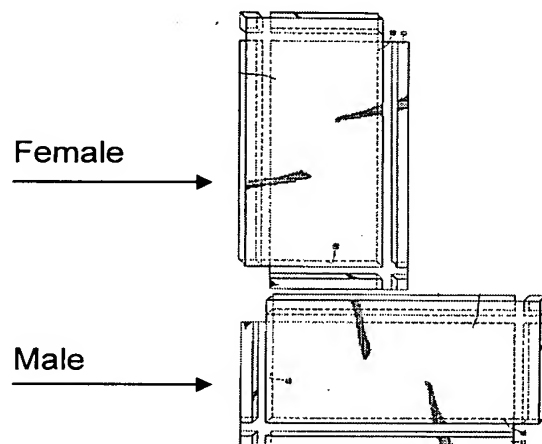
Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Terbrack (USPN 4,426,820) in view of Wasleff (USPN 1,787,027) and Shah (USPubN 2003/0221387).

Claim 18 recites that the system comprises floorboards with a surface layer of laminate, said floorboards being joined in a herringbone pattern.

However, Terbrack does not teach a system that comprises floorboards with a surface layer of laminate, said floorboards being joined in a herringbone pattern.

The Examiner relies on Shah to allege that one skilled in the art would modify the floorboards of Terbrack to be laminates. However, Terbrack indicates that the panels are for a sports floor, and are made of plastic. See col. 1, lines 5-12, and lines 23-27. Thus, Terbrack teaches away from a laminate flooring having a decorative surface layer.

Further, the Examiner relies on Wasleff to allege that one skilled in the art would arrange the floorboards of Terbrack in a herringbone pattern. However, the floorboards of Terbrack are not capable of being properly connected in a herringbone pattern. For example, as shown below when a short side of Terbrack is connected to a long side of Terbrack, the left side is left in a position where two different types of connectors are exposed (male and female). Thus, the floorboards of Terbrack cannot be connected in a herringbone pattern.



Thus, one skilled in the art would not (and could not) arrange the floorboards of Terbrack in a herringbone pattern.

Accordingly, the rejection of claim 18 is respectfully requested to be withdrawn.

**Conclusion**

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed in a timely manner.

Should any questions arise in connection with this application or should the Office feel that a teleconference with the undersigned would be helpful in resolving any issues pertaining to this application, it is requested that the undersigned be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 29, 2007

By: \_\_\_\_\_



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